

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JETHRY WHITEHURST,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner of
Social Security

Defendant.

Case No. C04-5668RBL

ORDER DISMISSING
COMPLAINT

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition is DISMISSED without prejudice;
- (3) The Clerk is directed to terminate this action; and
- (4) The Clerk is directed to send copies of this Order to plaintiff and the Honorable Karen L. Strombom.

DATED this 13th day of May, 2005.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE